

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ABDELAZIZ BENNOUR,)	
Petitioner)	
)	
v.)	
BRUCE CHADBOURNE, FIELD OFFICE)	Civil No. 04-CV-12149-MLW
DIRECTOR, BUREAU OF)	
IMMIGRATION AND CUSTOMS)	
ENFORCEMENT, UNITED STATES)	
DEPARTMENT OF HOMELAND)	
SECURITY)	
Respondent)	

Affidavit of Abdelaziz Bennour in Response to
November 15, 2004 Court Order

Under oath, I declare and state the following:

1. My name is Abdelaziz Bennour and I am the Petitioner in the above-captioned matter.
2. My attorney has explained to me that the Court has requested an affidavit from me explaining why I did not seek review of the BIA's July 11, 2004 decision not to reopen my appeal in the First Circuit Court of Appeals within 30 days of the BIA's ruling and what prejudice, if any, resulted from the BIA's decision not to reopen my appeal.
3. I represented myself during the immigration process. I do not speak English well and when I entered jail I did not speak English at all. While in jail, I received help from several fellow inmates in representing myself in the immigration matters, and I counted on their help given my limited English.
4. I did not file an appeal with the court of appeals because I never knew that I was supposed to file such an appeal. I don't remember the BIA ever telling me that I had

the right to file an appeal to the court of appeals, or that I was required to do so. I was doing the best I could to contest my deportation given my lack of attorney, my inability to speak the English language well, and my reliance on other inmates to help me defend myself.

5. As far as being prejudiced by my inability to appeal to the BIA, I rely on the statements made in my appeal brief to the BIA. That document was prepared by another inmate based on my conversations with him and I believe it is accurate based on my conversations with that inmate, though it has never been translated for me into my native language.

Signed under the pains and penalties of perjury this _____ day of December 2004.

Abdelaziz Bennour

CERTIFICATE OF SERVICE

I, Robert M. Goldstein, hereby certify that on this 7th day of December, 2004, I have served one copy of the foregoing Notice of Appearance, by electronic filing, upon Frank Crowley, Special Assistant U.S. Attorney, Department of Homeland Security.

Robert M. Goldstein